

REMARKS

The paper is filed in response to the non-final official action of March 11, 2009, wherein: (a) claims 1-3, 5, 7-13, 15-18, 20-24, 31-33, 35, 44-46, 51, 52, 60-65 and 72-75 stand allowed; and (b) claims 25-30 and 71 stand rejected under 35 U.S.C. § 101.

Applicant has amended rejected, independent claim 25 above. That claim is a dependent claim of allowed claim 1, and as amended tracks the format of other allowed dependent claims, specifically claims 31 and 32.

Claim 25 for example recites a method of using the infrared measuring device of claim 1 to perform a chemical analysis, the method

“including using the infrared measuring device for the qualitative and/or quantitative determination of one or more components, selected from the group consisting of saccharides, urea, creatinine, triglycerides, carbon dioxide, protein, alcohols and/or phosphoric acid esters, in nonaqueous or aqueous systems,”

while allowed claim 31 recites a method of using the infrared measuring device according to Claim 1, the method

“including using the infrared measuring device for the qualitative and/or quantitative determination of components in fruits and vegetables.”

As a result of the foregoing, pending claims 1-3, 5, 7-13, 15-18, 20-33, 35, 44-46, 51, 52, 60-65 and 71-75 are believed to be allowable.

Application No. 10/510,017
Amendment dated June 11, 2009
After Final Office Action of March 11, 2009

Docket No.: 30408/40489

Should the examiner wish to discuss the foregoing, or any matter of form in an effort to advance this application toward allowance, he is urged to telephone the undersigned attorney at the indicated number.

Dated: June 11, 2009

Respectfully submitted,

By 

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